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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Jay Anthony Richitelli,  
10                                      Petitioner,

11 v.

12 John T Shartle, et al.,  
13                                      Respondents.  
14

No. CV-15-00410-TUC-RM

**ORDER**

15            On November 6, 2017, Magistrate Judge Velasco issued a Report and  
16 Recommendation (Doc. 31) recommending that this Court transfer this action to the  
17 United States District Court for the Eastern District of Texas. No objections to the Report  
18 and Recommendation were filed.

19            A district judge must “make a de novo determination of those portions” of a  
20 magistrate judge’s “report or specified proposed findings or recommendations to which  
21 objection is made.” 28 U.S.C. § 636(b)(1). The advisory committee’s notes to Rule 72(b)  
22 of the Federal Rules of Civil Procedure state that, “[w]hen no timely objection is filed,  
23 the court need only satisfy itself that there is no clear error on the face of the record in  
24 order to accept the recommendation” of a magistrate judge. Fed. R. Civ. P. 72(b)  
25 advisory committee’s note to 1983 addition. See also *Johnson v. Zema Sys. Corp.*, 170  
26 F.3d 734, 739 (7th Cir. 1999) (“If no objection or only partial objection is made, the  
27 district court judge reviews those unobjected portions for clear error.”); *Prior v. Ryan*,  
28 CV 10-225-TUC-RCC, 2012 WL 1344286, at \*1 (D. Ariz. Apr. 18, 2012) (reviewing for


1 clear error unobjected-to portions of Report and Recommendation).

2 The Court has reviewed Judge Velasco's Report and Recommendation, the  
3 parties' briefs, and the record. The Court finds no error in Judge Velasco's Report and  
4 Recommendation. Accordingly,

5 **IT IS ORDERED** that the Report and Recommendation (Doc. 31) is **accepted**  
6 **and adopted in full.**

7 **IT IS FURTHER ORDERED** that the Clerk of Court is directed to **transfer** the  
8 above-captioned action to the United States District Court for the Eastern District of  
9 Texas.

10 Dated this 28th day of November, 2017.

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15 Honorable Rosemary Márquez  
16 United States District Judge  
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